

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE
AND MISLEADING CLAIMS****DRUGS FOR HUMAN USE***

2722. Misbranding of Lemel. U. S. v. 300 Dozen Packages * * *. (F. D. C. No. 26006. Sample No. 2748-K.)

LIBEL FILED: November 4, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about October 28, 1948, by the Serutan Co., from Newark, N. J.

PRODUCT: 300 dozen packages of *Lemel* at Washington, D. C.

LABEL, IN PART: (Package) "*Lemel* 20 Packets Each Packet Contains Vitamin C Equal to 7 Lemons (Av.) Ingredients: Dextrose, lemon powder, oil of lemon, oil of lime, potassium bitartrate and tartaric acid (from grapes), potassium citrate, ascorbic acid, thiamin hydrochloride, riboflavin, niacin, niacinamide, potassium phosphate, magnesium carbonate, calcium carbonate. Lo-Calory Food Corp., New York, N. Y. Each *Lemel* Packet Contains: Vitamin C . . . 150 mgs. (5 MDR), Vitamin B₁ . . . 5 mgs. (5 MDR), Riboflavin . . . 2 mgs. (1 MDR), Niacin . . . 25 mgs.*, Niacinamide . . . 25 mgs.* MDR-Minimum Daily Requirement. *MDR not established."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in a leaflet enclosed in each package of the product were false and misleading: "Lemonade has long been used in colds, grippe and flu. Many who suffer from joint aches and pains are accustomed to taking the juice of 1 or more lemons as a morning drink. Today, in *Lemel* you can get the Vitamin C value of the juice of 7 Average Lemons * * * Use *Lemel* regularly and faithfully." The statements represented and suggested that the article was effective in the treatment of colds, grippe, flu, and joint aches and pains. The article was not effective in the treatment of such diseases, symptoms, and conditions.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 14293.

DISPOSITION: December 15, 1948. Lo-Calory Food Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

2723. Misbranding of lemon juice. U. S. v. 22 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 26092, 26093. Sample Nos. 18293-K, 18294-K.)

LIBELS FILED: November 24, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 1, 1948, by the Puritan Company of America, from Chicago, Ill.

PRODUCT: 77 cases, each containing 24 1-pint bottles, of *lemon juice* at Cleveland, Ohio.

LABEL, IN PART: "Realemon Brand 100% Real California Lemon Juice."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "For Health and Regularity * * * For Fighting or Breaking Colds" were false and misleading since use of the product would not promote health and regularity, and the product would not be effective in the treatment of colds.

*See also Nos. 2715-2717, 2719-2721.